

BILZIN SUMBERG BAENA PRICE & AXELROD LLP

Robert W. Turken (*pro hac vice*)
Scott N. Wagner (*pro hac vice*)
Lori P. Lustrin (*pro hac vice*)
Shalia M. Sakona (*pro hac vice*)
Jerry R. Goldsmith (*pro hac vice*)
1450 Brickell Avenue
Suite 2300
Miami, FL 33131-3456
Telephone: (305) 374-7580
Email: rturken@bilzin.com
Email: swagner@bilzin.com
Email: llustrin@bilzin.com
Email: ssakona@bilzin.com
Email: jgoldsmith@bilzin.com

Attorneys for Benchmark Electronics

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re Capacitors Antitrust Litigation

Case No. 17-md-02801-JD

This document relates to:

Benchmark Electronics, Inc.; Benchmark Electronics Huntsville, Inc.; Benchmark Electronics Manufacturing Solutions (Moorpark), Inc.; Benchmark Electronics Manufacturing Solutions, Inc.; Benchmark Electronics Phoenix, Inc.; Benchmark Electronics Tijuana, S. de R.L. de C.V.; and Benchmark Electronics De Mexico S. de R.L. de C.V., Case No. 17-cv-7047

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL**

**STIPULATION AND [PROPOSED] ORDER OF DISMISSAL
17-md-2801-JD**

1 Plaintiffs Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc.,
 2 Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics
 3 Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics
 4 Tijuana, S. de R.L. de C.V. and Benchmark Electronics de Mexico S. de R.L. de C.V.,
 5 (collectively, "Benchmark") and Defendants Okaya Electric Industries Co., Ltd. and Okaya Electric
 6 America, Inc. (together "Okaya") pursuant to Rule 41(a)(2) of the Federal Rules of Civil
 7 Procedure hereby stipulate to the dismissal of the present action with prejudice and state as
 8 follows:

9 1. Benchmark and Okaya seek the dismissal of this action against Okaya with
 10 prejudice.

11 2. Benchmark and Okaya agree that each party shall bear its own costs and
 12 attorneys' fees in connection with these actions.

13 3. This stipulation does not affect the rights or claims of Benchmark against any
 14 other defendant or alleged co-conspirator in this litigation.

15 WHEREFORE, the parties respectfully request that this Court issue an Order of
 16 Dismissal against Okaya only.

17 **IT IS SO STIPULATED**

18 Dated: July 2, 2019

19
 20 /s/ Scott N. Wagner

21 Robert W. Turken (admitted *pro hac vice*)
 22 Scott N. Wagner (admitted *pro hac vice*)
 23 Lori P. Lustrin (admitted *pro hac vice*)
 24 Shalia M. Sakona (admitted *pro hac vice*)
 25 Jerry R. Goldsmith (admitted *pro hac vice*)
 26 **BILZIN SUMBERG BAENA PRICE &**
 27 **AXELROD LLP**
 28 1450 Brickell Ave., Suite 2300
 Miami, Florida 33131-3456
 Telephone: 305-374-7580
 Facsimile: 305-374-7593
 rturken@bilzin.com

/s/ Darrell Prescott

Darrell Prescott (Admitted *Pro Hac Vice*)
 Darrell.prescott@bakermckenzie.com
 Catherine Y. Stillman, State Bar No. 2542440
 catherine.stillman@bakermckenzie.com
BAKER & MCKENZIE LLP
 452 Fifth Avenue
 New York, NY 10018
 Telephone: (212) 626 4476
 Facsimile: (212) 310 1637

 Meghan E. Hausler (Admitted *Pro Hac Vice*)
 meghan.hausler@bakermckenzie.com

1 swagner@bilzin.com
2 llustrin@bilzin.com
3 ssakona@bilzin.com
4 jgoldsmith@bilzin.com
5 *Counsel for Benchmark*

BAKER & McKENZIE LLP
1900 North Pearl Street
Suite 1500
Dallas, TX 75201
Telephone: (214) 965 7219
Facsimile: (214) 978 5937
Counsel for Defendants
OKAYA ELECTRIC INDUSTRIES CO., LTD.
and OKAYA ELECTRIC AMERICA, INC.

8 **ECF ATTESTATION**

9 I, Scott N. Wagner, an ECF User whose ID and Password are being used to file
10 STIPULATION AND [PROPOSED] ORDER OF DISMISSAL.


11 In compliance with Civil Local Rule 5-1, I hereby attest that counsel for has concurred in
12 this filing.

13
14 DATED: July 2, 2019

15 By: /s/ Scott N. Wagner
16 Scott N. Wagner

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2
3 Dated: July 18, 2019

4 
UNITED STATES DISTRICT JUDGE